

David B. Shemano, Esq.
ROBINS KAPLAN LLP
601 Lexington Avenue
Suite 3400
New York, NY 10022-4611
Tel: (212) 980-7400
Fax: (212) 980-7499

AUCTION: December 15, 2015 at 2pm (EST)

- and -

Howard J. Weg, Esq.
Scott F. Gautier, Esq.
ROBINS KAPLAN LLP
2049 Century Park East
Suite 3400
Los Angeles, CA 90067-3208
Tel: (310) 552-0130
Fax: (310) 229-5800

Counsel for Debtor and Debtor in Possession

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

33 PECK SLIP ACQUISITION LLC, *et al.*,

Debtors.¹

Chapter 11

Case No. 15-12479 (JLG)

(Joint Administration Pending)

**NOTICE OF BID AND AUCTION FOR HOTEL PROPERTY
LOCATED AT 37 WEST 24th STREET NEW YORK, NEW YORK**

PLEASE TAKE NOTICE THAT Gemini 37 West 24th Street MT, LLC (the
“Debtor”), hereby gives notice (this “Notice”) of the receipt of a written bid by Fortuna

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: 33 Peck Slip Acquisition LLC (3412), 52 West 13th P, LLC (4970), 36 West 38th Street, LLC (6842), and Gemini 37 West 24th Street MT, LLC (4143).

37 West 24th Street LLC (“Fortuna” or “Acceptable Bidder”) in connection with the sale (the “Sale”) of the real property located at 37 West 24th Street, New York, NY (the “Property”). A copy of the written bid (the “Acceptable Bid”) received by the Debtor’s counsel is attached to this Notice as Exhibit A and a copy of the letter transmitting the Acceptable Bid is attached hereto as Exhibit B.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to the Order approving bidding procedures (the “Sale Procedures”), the bid is considered an “Acceptable Bid” submitted by 4pm (EST) on December 8, 2015 (the “Bid Deadline”) that meets each of the Sales Procedures requirements.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to the Sales Procedures, the Acceptable Bid was reviewed by the Debtor with the assistance of counsel, the Real Estate Advisors, and counsel to the Lender and William T. Obeid, who made the determination that there was no basis to object to the Acceptable Bid being a “Qualified Bid” and the offeror a “Qualified Bidder.” Accordingly, the Debtors have not filed an objection to the Acceptable Bid becoming a Qualified Bid and the offeror a Qualified Bidder, and the Acceptable Bid shall be deemed a Qualified Bid with no further notice.

PLEASE TAKE FURTHER NOTICE THAT if any other party in interest objects to the Acceptable Bidder becoming a Qualified Bidder, then the objecting party shall, at any time prior to the Auction, file with the Court a notice of objection to the Acceptable Bid and Acceptable Bidder with a short summary of the reasons that the Acceptable Bid and Acceptable Bidder should not be considered a Qualified Bid and Qualified Bidder and the Court shall determine whether such Acceptable Bid and Acceptable Bidder

shall be considered a Qualified Bid and Qualified Bidder immediately prior to the Auction.

PLEASE TAKE FURTHER NOTICE THAT the Auction shall be held on **December 15, 2015, at 2:00 p.m. (EST)** at the United States Bankruptcy Court for the Southern District of New York, Courtroom 601, One Bowling Green, New York, NY 10004. At the conclusion of the Auction, the Debtor shall request the Court to confirm the designation of the "Successful Bidder" as defined in the Sales Procedures.

Dated: December 9, 2015

ROBINS KAPLAN LLP

By: /s/ Scott F. Gautier
David B. Shemano, Esq.
601 Lexington Avenue
Suite 3400
New York, NY 10022-4611
Tel: (212) 980-7400
Fax: (212) 980-7499

-and-

Howard J. Weg, Esq.
Scott F. Gautier, Esq.
2049 Century Park East
Suite 3400
Los Angeles, CA 90067-3208
Tel: (310) 552-0130
Fax: (310) 229-5800

Counsel for Debtors and Debtors in Possession